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From-HUNTON &amp; WILLIAMS

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WASHINGTON, D.C. 20006-1109TEL 202-955-1500  
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FAX

TO NAME: Attn: URGENT  
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PAGES (INCLUDING COVER): 8

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FROM NAME: David Kelly  
DIRECT DIAL: 202-955-1960

MESSAGE

Appl. No. 09/769,787;  
GILBERT, C.F.G., et al.  
Confirmation No.: 4454;  
Atty. Dkt. No. 62785.000003

Attached: Amendment Transmittal, Amendment

OPERATOR

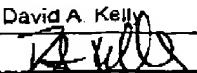
CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being delivered to the USPTO or deposited with the United States Postal Service and that postage is paid on this correspondence. Complete for Page 1 of 1, Washington, DC 20001 or 20543.		
Typed or printed	David A. Kelly	2/12/04
Signature	<i>DA Kelly</i>	Date 2/12/04

CLIENT/MATTER NAME: Kilburn & Strobe  
CLIENT/MATTER NO.: 62785.000003

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PAGE 1/8 \* RCVD AT 3/12/2004 10:19:19 AM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-1/0 \* DNIS:8729307 \* CSID:++ \* DURATION (mm-ss):02-18

<b>FEE TRANSMITTAL</b>  <b>MAIL STOP AF</b>		<i>Complete If Known</i>																																							
		Application No.	09/769,787																																						
		Filing Date	January 26, 2001																																						
		First Named Inventor	Gilbert, C.F.G. et al.																																						
		Examiner Name	P. Baskar																																						
		Group Art Unit	1645																																						
Total Amount Of Payment (\$)		Attorney Docket No.	62785.000003																																						
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																							
1. <input checked="" type="checkbox"/> The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 50-0206 in the name of Hunton & Williams LLP.		3. <b>ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr><td><input type="checkbox"/> Surcharge - late filing fee or oath</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> _____ Month Extension of Time</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Notice of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Brief in Support of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Design Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Plant Issue Fee</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Commissioner</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unavoidable)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unintentional)</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Petitions Related to Provisional Applications</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Submission After Final Rejection</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Filing Request for Reexamination</td><td style="text-align: right;">\$</td></tr> <tr><td><input type="checkbox"/> Other (specify) _____</td><td style="text-align: right;">\$</td></tr> </table>		Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> _____ Month Extension of Time	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petition to Commissioner	\$	<input type="checkbox"/> Petition to Revive (Unavoidable)	\$	<input type="checkbox"/> Petition to Revive (Unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$	<input type="checkbox"/> Filing Request for Reexamination	\$	<input type="checkbox"/> Other (specify) _____	\$
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2. <input type="checkbox"/> Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 50-0206 in the name of Hunton & Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.																																									
FEE CALCULATION																																									
1. <b>BASIC FILING FEE</b> <input type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity		FEE PAID																																							
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For	Number Present	Highest Number Paid For	Extra	Rate		Amount																																			
				Large Entity	Small Entity																																				
TOTAL CLAIMS	3	20	0	x \$ 18.00	x \$ 9.00	\$																																			
INDEPENDENT CLAIMS	1	3	0	x \$ 86.00	x \$ 43.00	\$ 0.00																																			
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00																																			
<b>TOTAL EXTRA CLAIMS FEES</b>						\$																																			
SUBMITTED BY						Complete (if applicable)																																			
Typed or Printed Name		David A. Kelly		Registration No.		53,106																																			
Signature				Date		March 11, 2004																																			

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
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MAR 12 2004

In re Parent Application of :

GILBERT, C.F.G., *et al.*

Serial No.: 09/769,787

Filed: January 26, 2001

Examiner: Baskar, P.

Group Art Unit: 1645

For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450AMENDMENT

Sir:

Responsive to the final Office Action mailed July 16, 2003 and further to an Amendment filed December 12, 2003 and telephone interviews with the Examiner on February 20, 2004 and March 10, 2004, please amend the above-captioned application as set forth below. Applicants respectfully submit that the following amendments have been made in order to remove issues for appeal and/or to adopt the Examiner's suggestions. Applicants filed a Notice of Appeal on January 16, 2004 and, as the present amendment is being filed within two months thereof, Applicants submit that no fees are due. However, in the event that fees are assessed, please charge or credit any such fees to the undersigned's Deposit Account No. 50-0206.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 3 of this paper.